



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
David A. Monroe, et al ) Group Art Unit: 2616  
)  
Serial No.: 09/143,232 ) Examiner: Robert Chevalier  
)  
Filed: August 28, 1998 ) Atty. Dkt. No.: 121817.002.022 (683553.0038)  
)  
For: MULTIFUNCTIONAL REMOTE ) Confirmation No. 9130  
CONTROL SYSTEM FOR AUDIO )  
RECORDING, CAPTURE, )  
TRANSMISSION AND PLAYBACK )  
OF FULL MOTION AND STILL IMAGES)

**PETITION TO WITHDRAW FROM ISSUE UNDER 37 C.F.R. § 1.313(c)(2)**  
**(ISSUE FEE PAID)**

Applicant hereby requests that the above application, in which the issue fee was paid on June 23, 2006, be withdrawn from issue in order to consider the Request for Continued Examination (RCE) and Information Disclosure Statement being submitted herewith. In support of this Petition, Applicant submits:

(a) The Commissioner is hereby authorized to charge the Petition fee of \$130 to Deposit Account No. 01-0477; and

(b) The following showing of good and sufficient reasons why withdrawal of the application from issue is necessary.

The withdrawal of the application from issue is necessary in order to consider the prior art references submitted with Applicant's Information Disclosure Statement mailed on July 5, 2006. That IDS was considered non-compliant due to the lack of a statement under 37 C.F.R. 1.97(e), which cannot be made. The IDS is being resubmitted under a Request for Continued Examination as permitted by 37 CFR §§ 1.97(b)(4) and 1.114(c).

Also, pursuant to 37 C.F.R. § 1.313(d), Applicant requests prompt consideration of the present petition as the above application is expected to issue soon. Accordingly, this Petition and the accompanying Request for Continued Examination and Information Disclosure Statement (Forms PTO/SB/08A – Sheets 1-8) are being submitted via facsimile transmission, with the hard



being filed concurrently herewith, enclosing the required copies of the prior art listed on Forms PTO/SB/08A.

In view of the above, grant of this Petition to withdraw the application from issue, and consideration of the RCE request and Information Disclosure Statement are respectfully solicited.

Respectfully submitted,

*Kirt S. O'Neill*  
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Date: October 4, 2006

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#### Certificate of Facsimile Transmission

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office at (571) 273-0025 on the date shown below.

Oct. 4, 2006

Date

*Kirt S. O'Neill*  
Kirt S. O'Neill

#### Certificate of Mailing

I hereby certify that this correspondence is being mailed via first-class mail, postage prepaid, to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Oct. 4, 2006

Date

*Kirt S. O'Neill*  
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